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TAGS: [PREL](#) [UNGA](#) [UNGA](#)
SUBJECT: UNGA'S GENERAL ASSEMBLY ADOPTS RESOLUTION ON
INTERNATIONAL CRIMINAL COURT (ICC) REPORT

REF: STATE 119650

[¶1.](#) Summary: UNGA's General Assembly adopted by consensus the "Report of the International Criminal Court" on November 11. Dutch Deputy Permanent Representative Piet de Klerk introduced the draft resolution under agenda item 69. In his remarks he called the ICC "the most significant development in the last decade" undertaken to eradicate impunity. The U.S. and Sudanese delegations provided explanations of position. The Costa Rican delegation made a statement at the conclusion of discussion of the item. The Sudanese delegate disassociated Sudan from the adoption of the resolution and criticized the Report. The Sudanese representative said that the Prosecutor General used the Court to pursue ulterior motives and threaten Sudan's peace and stability. The Costa Rican delegate reiterated support for the Court and accused powerful non-states parties of believing they are "beyond the scrutiny of justice." End Summary.

The Netherlands Introduces ICC Report Draft Resolution

[¶2.](#) Dutch Deputy Permanent Representative Piet de Klerk said that the ICC was "the most significant development in the last decade" undertaken to eradicate impunity. He welcomed new states parties to the ICC Rome Statute (Cook Islands, Madagascar, and Suriname) and expressed hope others would join by the 2010 Review Conference. De Klerk also welcomed assistance from the UN, states parties, and non-states parties. He reviewed the resolution's three main objectives: to provide political support for the ICC, underline the importance of the ICC-UN relationship, and remind states and organizations of the need to cooperate with carrying out the ICC's tasks.

Sudan and Costa Rica Provide Explanations of Position

[¶3.](#) The Sudanese delegate strongly disassociated Sudan from the ICC resolution and Report, referring the Committee to its remarks last week following introduction of the Report. He said the Prosecutor General used the Court to pursue ulterior motives and threaten Sudan's peace and stability. The delegate added that it was regrettable that the Prosecutor General overlooked the cardinal principles of international and treaty laws. He noted in particular the immunity of the head of state, which he said the International Court of Justice repeatedly confirmed. The delegate expressed hope that the Review Conference would correct such "blunders."

[¶4.](#) The United States did not participate in the adoption of the resolution and, as instructed, USUN delivered a statement setting forth U.S. concerns about the ICC (Ref A).

[¶5.](#) The Costa Rican delegate called the ICC "an oasis of hope" and reiterated support for its consolidation phase. He criticized those who opposed the Court, in particular the states that had power and wealth. The delegate said that

such states believe they are "beyond the scrutiny of justice." He added that states have the duty to reject those arguments and uphold the ICC. The delegate highlighted that states and the UN Security Council refer cases to the Court. He expressed concern that seven arrest warrants remained outstanding and called on the international community to enforce them.

Khalilzad